

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA )  
 )  
v. ) 1:19-cr-201 (LMB)  
GEORGE AREF NADER, )  
 )  
Defendant. )

ORDER

Defendant George Aref Nader (“defendant” or “Nader”), has filed a Motion for Compassionate Release (“Motion”) [Dkt. No. 208]. Defendant is currently serving a 10-year sentence imposed on July 26, 2020, after pleading guilty to one count of possession of child pornography and one count of transportation of a minor with intent to engage in criminal sexual activity subsequent to a prior sex offense conviction. [Dkt. No. 171]. In his Motion, defendant asks to be released due to the risk he faces from the Covid-19 pandemic. Finding that oral argument would not assist the decisional process and that the Court does not need a response from the government, defendant’s Motion will be decided on the papers submitted. For the reasons that follow, this Motion will be denied.

An inmate seeking to modify a sentence under § 3582(c)(1)(A)(i) must show “extraordinary and compelling reasons to warrant [ ] a reduction” of the sentence. “In the context of the COVID-19 outbreak, courts have found extraordinary and compelling reasons for compassionate release when an inmate shows both a particularized susceptibility to the disease and a particularized risk of contracting the disease at his prison facility.” United States v. Feiling, No. 3:19-cr-112, 2020 WL 1821457, at \*7 (E.D. Va. Apr. 10, 2020); see also United States v.

White, No. 2:07-cr-150, 2020 WL 1906845, at \*1 n.2 (E.D. Va. Apr. 17, 2020). When considering whether modification is appropriate, the Court also must consider any applicable 18 U.S.C. § 3553(a) factors. See 18 U.S.C. § 3582(c)(1)(A).

Although the Court recognizes that defendant has health conditions that put him at greater risk of severe illness from Covid-19, defendant is presently incarcerated in the Alexandria Adult Detention Center. The Court understands that at this time there are no reported infections among inmates and staff, and the facility has had an outstanding record of preventing any spread of the infection when a rare case among either prisoners or staff members has occurred. Additionally, defendant was sentenced only a few months ago and has served very little of his 10-year sentence for what are serious offenses. Accordingly, it is hereby

ORDERED that the Motion [Dkt. No. 208] be and is DENIED.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 9 day of December, 2020.

Alexandria, Virginia

/s/   
Leonie M. Brinkema  
United States District Judge